

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

DARRYL LEROY STEWART, JR.,

Petitioner, No. CIV S-03-2670 FCD DAD P

vs.

D. L. RUNNELS, Warden, et al.,

Respondents. ORDER

Petitioner, a state prisoner proceeding pro se, has filed this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On October 23, 2007, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty days. On February 12, 2008, after several extensions of time, petitioner filed objections to those findings and recommendations. On February 29, 2008, in response to petitioner's objections, the magistrate judge filed amended findings and recommendations which corrected a factual error in the original findings and recommendations. Because the factual correction did not change the magistrate judge's analysis in any way, and in light of petitioner's detailed objections to the

1 previously filed findings and recommendations, no time for filing additional objections was  
2 provided.

3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-  
4 304, this court has conducted a de novo review of this case. Having carefully reviewed the  
5 entire file, the court finds the February 29, 2008 amended findings and recommendations to be  
6 supported by the record and by proper analysis.

7 Accordingly, IT IS HEREBY ORDERED that:

- 8 1. The amended findings and recommendations filed February 29, 2008, are  
9 adopted in full; and  
10 2. Petitioner's application for a writ of habeas corpus is denied.

11 DATED: March 3, 2008.

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13 FRANK C. DAMRELL, JR.  
14 UNITED STATES DISTRICT JUDGE